

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference SJB/P4868WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB99/01356	International filing date (day/month/year) 30/04/1999	Priority date (day/month/year) 10/08/1998
International Patent Classification (IPC) or national classification and IPC B32B31/20		
Applicant HUNT TECHNOLOGY LIMITED		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
 - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10/03/2000	Date of completion of this report 09.11.2000
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Schambeck, W Telephone No. +49 89 2399 2135 

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International application No. PCT/GB99/01356

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).)*:

Description, pages:

1-32 as originally filed

Claims, No.:

1-53 as originally filed

Drawings, No.:

1-17 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims. Nos.:

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☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
☐ paid additional fees.
☐ paid additional fees under protest.
☒ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
☒ not complied with for the following reasons:
see separate sheet

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☐ all parts.
☒ the parts relating to claims Nos. 1-45.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	11, 12, 15, 17-28, 33-38, 43, 44
	No:	Claims	1-10, 13, 14, 16, 29-32, 39-42, 45
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-45

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Industrial applicability (IA) Yes: Claims 1-45
 No: Claims

2. Citations and explanations
see separate sheet

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The negative statements with regard to unity, novelty and inventive step made in this report rely on the following prior art documents; attention is in particular drawn to the passages given in parentheses:

- (1) US-A-5 763 041 (column 10, line 43 to column 11, line 51)
- (2) GB-A-2 290 052 (page 12, line 20 to page 13, line 27; Example I)

concerning Section IV

The concept linking together the invention defined by claims 1 to 45 and the invention defined by claims 46 to 53, which does not go beyond that of point laminating a first and a second material, has been made use of in documents (1) and (2) and thus lacks inventive character for the purposes of Rule 13.1 PCT.

concerning Section V

As apparent from documents (1) and (2), the teaching to make a laminate by point laminating a (preformed) point embossed nonwoven to a second material in such a manner that the point lamination pattern produced is not in registration with the point emboss pattern formed part of the prior art at the priority date of the international application.

Attention is drawn, by way of substantiation of this finding, in particular to the fact that, both in the laminates of the examples of document (1) and in the laminate of example I of document (2), the percentage bond area of the point emboss pattern differs from the percentage contact area of the point lamination pattern.

The inventions defined by claims 1 to 3, 5, 8, 10, 14, 39 and 45 are considered to lack novelty because the wording of those claims is not sufficiently clear and definite to define distinguishing features over the prior art teaching identified above.

Concerning claim 1, it is to be noted in this connection that point laminating a (preformed) point embossed nonwoven to a second material in such a manner that the

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point lamination pattern produced is not in registration with the point emboss pattern inevitably involves control of point mis-registration between the two patterns (although that may not have been the intention of the authors of documents (1) and (2)).

Concerning claim 2, it is to be noted that, as a result of the term "amount of point mis-registration" having no well-recognised precise meaning in the relevant technical field, no clear teaching is defined by the statement to the effect that the amount of mis-registration between the two patterns is to be maximised.

The inventions defined by claims 4, 6, 7, 9, 13, 16, 29 to 32 and 40 to 42 are considered to lack novelty because the features presented in those claims can be taken from document (1) and/or document (2).

The inventions defined by claims 11, 12, 15, 17 to 28, 33 to 38, 43 and 44 are considered not to involve an inventive step because they appear to merely concretise or supplement the prior art teaching of documents (1) and (2) by

- (i) adding technical information forming part of the common general knowledge in the relevant technical field and/or
- (ii) introducing restrictions defined so broadly that it does not appear plausible that (all the embodiments of) the generic teaching defined by those restrictions should ensure the achievement of a desirable technical result mentioned in the application as filed.

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
 United States Patent and Trademark
 Office
 Box PCT
 Washington, D.C.20231
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 30 March 2000 (30.03.00)	
International application No. PCT/GB99/01356	Applicant's or agent's file reference SSA/4868
International filing date (day/month/year) 30 April 1999 (30.04.99)	Priority date (day/month/year) 10 August 1998 (10.08.98)
Applicant SQUIRES, Leslie, James et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

10 March 2000 (10.03.00)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Pascal Piriou Telephone No.: (41-22) 338.83.38
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